

SENATOR TERRELL

Moved to strike out all after the figures "1887," on page 2, section 1, down to the end of said section."

Adopted by the following vote:

NAYS—23.

Abercrombie,	Gregg,
Armistead,	Harrison,
Bell,	Jarvis,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Davis,	Simkins,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woodward.
Glasscock,	

NAYS—5.

Allen,	Douglass, of G,
Claiborne,	Woods.
Douglass of J,	

ABSENT—3.

Houston,	Stinson.
Knittle,	

SENATORS BURGESS, MACMANUS, FIELD,
JARVIS, HOUSTON, TERRELL, BUR-
NEY, GLASSCOCK AND POPE

Favored the bill
And

SENATORS DOUGLASS OF JEFFERSON,
GREGG, ABERCROMBIE, WOODS,
HARRISON AND SIMKINS

Opposed the bill.

The question being upon the passage of the bill, the vote stood as follows:

YEAS—18.

Armistead,	Glasscock,
Bell,	Jarvis,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Davis,	Pope,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woodward.

NAYS—8.

Abercrombie,	Douglass of J,
Allen,	Douglass of G,
Camp,	Harrison,
Claiborne,	Woods.

ABSENT—3.

Houston,	Stinson.
Knittle	

Senator Gregg was paired with Senator Knittle, the former would have voted nay the latter yea.

Senator Simkins was paired with Senator Houston, the former would have voted nay the latter yea.

Before the vote was announced

SENATOR TERRELL

Moved a call of the Senate.

Call sustained.

Roll called.

Absent—Senators Houston, Knittle and Stinson.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

(Senator Armistead in the chair.)

The pending business went to the table.

On motion of Senator Harrison,
House bill No. 150.

"An act to amend section 3 of an act entitled 'an act to amend Articles 4662, 4664 and 4665, chapter 1, title 95, of the Revised Statutes as amended March 24, 1881,' approved May 4, 1881," was taken up and read second time with committee substitute.

The caption of which is as follows:

"An act to provide for the levy and collection of an occupation tax on certain occupations herein named."

(The president in the chair.)

On motion of Senator Armistead

The committee substitute was adopted.

On motion of Senator Pope

The Senate adjourned till 10 o'clock to-morrow morning.

SIXTY-FOURTH DAY.

SENATE CHAMBER, }
AUSTIN, March 25, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator MacManus,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

BY SENATOR MACMANUS:

A petition of citizens of Encinal county opposing the organization of that county and change of boundaries thereof as contemplated by a pending House bill.

Referred to Committee on Counties and County Boundaries.

BY SENATOR HOUSTON:

Two petitions from the citizens of Encinal county, requesting the organization of said county.

Referred to Committee on Counties and County Boundaries.

BILLS AND RESOLUTIONS.

BY SENATOR M'DONALD:

A bill to be entitled:

"An act to revuire the consent of the State of Texas, to the purposes of a grant of money authorized and appropriated by an act of the Congress of the United States approved March 2, A. D. 1887," and entitled:

"An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto."

REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS

COMMITTEE ROOM, }
AUSTIN, January 25, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Finance to whom was referred Senate bill No. 260 entitled.

"An act for the relief of W. L. Holland, have had the same under consideration, and insuret me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time.

BY SENATOR STINSON:

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 25, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Public

Buildings and Grounds, to whom was referred Senate joint resolution No. 12, authorizing the Governor, Comptroller, Treasurer, Commissioner of the General Land Office and Attorney General, constituting the State Capitol board, to lease the temporary capitol building as soon as the departments and officers of the State Government vacate said building and move into the new State capitol," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

STINSON, chairman.

Bill read first time.

BY SENATOR HARRISON:

SENATE CHAMBER, }
AUSTIN, March 25, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Counties and County Boundaries, to whom was referred House bill No. 604, entitled:

"An act to organize Encinal county and define its boundaries, have considered the same, and instruct me to report it back with recommendation that it do not pass.

Respectfully submitted.

HARRISON, chairman.

Bill read first time.

BY SENATOR FRANK.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. George C. Pendleton, Speaker of the House of Representatives.

Sir—Your Committee on Engrossed bills have carefully examined and compared Senate substitute bill No. 200 being:

"An act to authorize the holders and owners of patents issued to lands in Greer county and other reservations, to surrender their patents for cancellation, and to authorize the commissioner to issue new certificates in such cases," and find the same correctly engrossed.

FRANK, chairman.

The following special committee report was sent up

BY SENATOR TERRELL:

CONFERENCE COMMITTEE ROOMS, }
AUSTIN, TEXAS, March 24, 1887. }

Hon. T. B. Wheeler, President of the Senate; and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

Gentlemen—Your committee of free conference, to which was referred Sen-

ate bill No. 5, beg leave make the following report, and recommend its adoption:

First. That the Senate concur in House amendment No. 1, with the following amendment to said House amendment to-wit:

"Strike out the word 'and,' in line 8, and insert the word 'or.'"

Also,

That the Senate concur in House amendments Nos. 2 and 3.

All of which is respectfully submitted.

TERRELL,
MCDONALD,
BELL,

Conferees, on the part of the Senate.

BROWNING,
HUDGINS,

MOORE of Travis,
Conferees on the part of the House.

On motion of Senator Terrell,

The report was adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN TEXAS, March 24, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—I am instructed by the House to inform the Senate that the House has adopted the report of the free conference committee on

Senate bill No 141,

"An act to diminish the civil jurisdiction of the county court, of Brazos county and to conform the jurisdiction of said district court of said county to such changes."

Also

That Hon. Mr. Bell of Denton heretofore reported as member of the free conference committee of the two houses on the General Land bill has been relieved from serving on said committee, because of continued sickness, and that the Hon. Mr. Tate of Smith has been appointed in his stead.

Also,

That the House refuses to concur in the Senate amendments to House bill No. 89:

"An act to amend an act passed at the regular session of the Eighteenth Legislature, and approved April 18, 1883, entitled 'an act to amend Article 430, of section 1, and to repeal section 2, of an act entitled an act to amend Articles 423, 424, 425, 426, 427, 428, 429, and 430a, and to create Article 426½, and to repeal Article 430 of chapter 5, title 13, of the Penal Code of the Revised Statutes for the

protection of fish and game.' Approved March 15, 1881," ask for a free conference, and that Messrs. Shelburne, Gill and Clegg have been appointed as such committee on the part of the House.

Also,

That the House refuses to concur in Senate amendment to House bill No. 90,

"An act establishing the manner of ascertaining the boundaries of counties, and repealing all laws and parts of laws in conflict with this act."

Also,

That the House concurs in the first, second, third, fifth, sixth, seventh and ninth amendments to

House bill No. 128,

"An act to amend Articles 183 and 186 of the Penal Code," and refuses to concur in the fourth and eighth amendments to said bill, asks for a free conference committee and that Messrs. Rugel, Moore of Travis and Nicholson have been appointed as such committee upon the part of the House.

Also,

That the House has passed the following bill:

House bill No. 529:

"An act to authorize the Governor to order through the proper officials the institution, prosecution or defense of any civil or action suit, whenever he deems such course proper for the assertion or defense of any right of the State, and to render to said officials such assistance as to him may seem necessary or expedient," by a two-thirds vote, yeas 86.

Also,

That the House concurs in Senate amendments to

House bill No- 129:

"An act to amend Article 339, chapter 4, title 10, of the Penal Code."

Also,

That the House concurs in the Senate amendments to

House bill No. 499:

"An act for the relief of J. B. Early, and to validate county land certificate No. 831, and the survey made by virtue thereof, issued by Ben F. Hill, Adjutant General of Texas, on the twenty eighth day of May, 1851, for 240 acres of land to Henry W. Ward, the said J. B. Early being now the owner of said certificate."

Also,

That the House has passed Senate bill No. 329.

"An act to amend an act entitled 'an act to redistrict the State into judicial districts, and fix the time for

holding courts therein, and to provide for the election of judges and district attorneys at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 24, 1885, to create the forty-third judicial district of the State of Texas, fix the times for holding court therein, and provide for the appointment of a district judge for said district," with an amendment, and by a two-third vote. Ayes 83, nays 2.

WILL LAMBERT.

Chief Clerk of the House of Representatives.

The following message was received from the governor:

EXECUTIVE OFFICE, }
AUSTIN, March 24, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—As all things that tend to develop and encourage the agricultural interests of the State are of paramount importance to its prosperity and should meet with every encouragement and endorsement. I would respectfully call your attention to the "cotton States agricultural field contests" to be held in the autumn of 1888, as a subject worthy of some encouragement on your part, and submit herewith an copy of the action of the Legislature of Mississippi, and of the proclamation of the Governor of Louisiana had thereunder, in reference thereto, with the view that if your honorable body should deem the subject worthy of your endorsement of hereafter issuing a similar proclamation for the encouragement of this enterprise.

I would call your attention to the fact that this contemplates only an official endorsement and requires no appropriation.

L. S. Ross,
Governor.

COTTON STATES AGRICULTURAL FIELD CONTEST OF 1888.

PROCLAMATION BY THE GOVERNOR.

STATE OF FLORIDA, }
EXECUTIVE DEPARTMENT. }

I hereby respectfully submit to the people of Florida the following, adopted at a recent session of the Legislature of the State of Mississippi, by a unanimous vote:

AN ACT.

TO ENCOURAGE THE COTTON STATES AGRICULTURAL FIELD CONTEST TO BE HELD IN THE AUTUMN OF 1888.

Whereas, The National Cotton Planters Association of America is an institution incorporated under the laws of the State of Mississippi for the public weal, and,

Whereas, the said association has already done much good work and received the substantial recognition of the government of the United States in the matter of the World's Exposition at New Orleans, which was inaugurated by its means and influence, and,

Whereas, The said association has now inaugurated a Cotton States Agricultural Field Contest, to be held in the autumn of 1888, which designs through a series of large premiums for models of farm residences, gin houses and stables; also on crops and agricultural implements to promote the welfare of the people of the cotton States, and those having kindred interests; and,

Whereas, It is proper that such an enterprise should receive all possible encouragement; it is hereby

Resolved, That the Legislature of the State of Mississippi recognize that the Cotton States Agricultural Field Contest has the highest aim for the good of the people, and is a movement in that direction, and should receive the cordial endorsement of the people of the cotton States and all those interested in their development; also,

Resolved, That this Legislature do invite the people of the State of Mississippi to co-operate with the management of the great enterprise in order that they may receive the benefits to be derived, and also invite the co-operation of the other cotton States, and all other public associations, to the end that united efforts may lead to the most successful results.

Now, therefore, in view of the importance of the contemplated contest, and of the great agricultural interests of our section of country which it is intended to subserve, and in accordance with the liberal invitation of the National Cotton Planters' Association, as well as that of the Legislature of the State of Mississippi, I call the attention of the people of Florida to, and recommend that they take part in this deserving enterprise and make timely and full preparation for the same. I would also ask the co-operation of all

agricultural associations and other organized bodies interested in developing the resources of our State.

The many and liberal prizes offered, including liberal premiums for long staple cotton culture, the generous invitation to compete for them, the importance of new and improved implements, fertilizers, methods and appliances for production and development, and the great efficacy of such a contest in diffusing a knowledge of the resources of Florida abroad, calls for a liberal and energetic response from our people.

In testimony whereof, I have hereunto set my hand and have caused the great seal of the State of Florida to be hereunto affixed. Done at Tallahassee, the capital, this the fifteenth day of February, in the year of our Lord one thousand eight hundred and eighty-seven, and of the independence of the United States the one hundred and eleventh year.

E. A. PERRY.

JOHN L. CRAWFORD, Sec. of State.

On motion of Senator Pope,
The message was referred to Committee on Agricultural Affairs.

SENATOR LANE

Sent up the following resolution:

"Resolved, that, whereas, the Senate, on the fifth day of February, 1887, passed a joint resolution to employ a joint porter for the two houses of the Twentieth Legislature, and

"Whereas, said resolution was sent to the House of Representatives on said date, and by said house held over and not acted upon until the twenty-fifth day of said month, and

"Whereas, acting under the belief that the House would pass said resolution, the Sergeants-at-Arms of the two houses employed one Frank Lews as such porter, and placed him at work on said fifth day of February, 1887, and he so continued to work until the said twenty-fifth day of said month, and has received no pay therefor; therefor, be it

"Resolved, that the said Frank Lews be allowed \$21 for his services on the part of the Senate, the same to be paid out of the appropriation for contingent expenses."

SENATOR WOODS

Moved to refer the resolution to Committee on Contingent expenses.

Lost by the following vote:

YEAS—12.

Bell	Glasscock,
Burney,	Gregg,
Calhoun,	Harrison,
Davis,	McDonald,
Douglass of G,	Stinson.
Frank,	Woods.

NAYS—18.

Abercrombie,	Jarvis,
Allen,	Knittle
Burges,	Lane,
Camp,	MacManus
Claiborne,	Pope,
Douglass of J,	Simkins.
Field,	Terrell,
Garrison,	Upshaw.
Houston,	Woodward.

ABSENT—1.

Armistead.

The resolution was adopted.

SENATOR HOUSTON

Moved that the Senate refuse to recede from its amendments to House bill No. 90, and asked for a committee of free conference.

Adopted.

The President appointed as said committee,

Senators Houston, Bell and Gregg.

By leave

SENATOR GLASSCOCK

Sent up the following committee report:

COMMITTEE ROOM, }
AUSTIN, March 25, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Education to whom was referred Senate bill No 349,

"An act to give the assent of the State of Texas to the purposes of a grant of money authorized and appropriated by an act of the Congress of the United States, approved March 2, 1887, and entitled 'an act to establish agricultural experiment stations in connection with the colleges established in the several States made the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

GLASSCOCK, chairman.

Bill read first time.

On motion of Senator McDonald,
The constitutional rule was suspended and the bill was placed on its second reading by the following vote:

YEAS—30.

Allen,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	MacManus,
Davis,	Pope,
Douglass of J,	Simkins,
Douglass of G	Stinson,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woods,
Glasscock,	Woodward.

NAYS—none.

ABSENT—1.

Abercrombie,

The bill was read second time and ordered engrossed.

SENATOR M'DONALD

Move to suspend the constitutional rule and place the bill on its third reading and final passage.

Adopted by the following vote:

YEAS—27.

Allen,	Glasscock,
Armistead,	Harrison,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Claiborne,	Simkins,
Davis,	Stinson,
Douglass of J.	Terrell,
Douglass of G.	Upshaw,
Field,	Woods,
Frank,	Woodward,
Garrison,	

NAYS—2.

Gregg, Lane.

ABSENT—2.

Abercrombie, Houston.

The bill was read the third time and passed.

Senate bill No. 183.

"An act to prevent and punish drunkenness," was read third time and passed.

Senate bill No. 37.

"An act to amend 'an act for the relief of Z. C. Collier, Thomas Collier and William Ramer, passed by the Nineteenth Legislature of the State of Texas,'" was read third time and passed by the following vote:

YEAS—23.

Abercrombie,	Garrison,
Armistead,	Glasscock,
Bell,	Gregg,
Burges,	Houston,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	MacManus,
Claiborne,	Pope,
Davis,	Stinson,
Douglass of J,	Upshaw,
Douglass of G,	Woodward.
Field,	

NAYS—7.

Allen,	McDonald,
Frank,	Terrell,
Harrison,	Woods.
Jarvis,	

ABSENT—1.

Simkins.

Senate bill No 179.

"An act to confirm the exchange of lands made by the Land Commissioner of Texas for the University of Texas and to restore the rejected blocks of land to the reserved public domain;" was read third time and passed.

Substitute Senate bill No. 200.

"An act to authorize the holders and owners of patents issued to lands in Greer county and other reservations to surrender their patents for cancellation, and authorize the commissioner to issue new certificates in such cases." was read third time and passed by the following vote:

YEAS—27.

Abercrombie,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	MacManus,
Davis,	Pope,
Douglass of J,	Stinson,
Douglass of G,	Terrell,
Field,	Upshaw,
Garrison,	Woodward.
Glasscock,	

NAYS—3.

Allen,	Woods.
Frank,	

ABSENT—1.

Simkins.

SENATOR FRANK

Sent up the following privileged report:

COMMITTEE ROOM, }
AUSTIN, March 25, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 394, being:

"An act to give the assent of the State of Texas to the purposes of a grant of money authorized and appropriated by an act of Congress of the United States, approved March 2, A. D. 1887, and entitled 'an act to establish agricultural experimental stations in connection with the colleges established in the several States, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' and find the same correctly engrossed.

[FRANK, chairman.

Senate Bill No. 219,

"An act to amend chapter 31, of the acts of the Eighteenth Legislature, approved March 3, 1887," was read third time and passed.

Senate bill No. 266,

"An act fixing the fees of jury commissioners for their services and the mode and manner of paying the same," was laid before the Senate and read third time.

SENATOR BURGESS

Opposed

And

SENATOR GLASSCOCK

Favored the bill

The bill passed by the following vote:

YEAS—18.

Armistead,	Glasscock,
Bell,	Jarvis,
Calhoun,	Knittle,
Davis,	Lane,
Douglass of J,	MacManus,
Douglass of G.	Pope,
Field,	Simkins,
Frank,	Sinson,
Garrison,	Upshaw.

NAYS—10.

Allen,	Harrison,
Burgess,	Houston,
Burney,	Terrell,
Camp,	Woods,
Gregg,	Woodward.

ABSENT—3.

Abercrombie, McDonald,
Claiborne,

The following message was received from the Governor:

EXECUTIVE OFFICE, }
AUSTIN, March 24, 1887. }

To the Senate of Texas:

I ask your advice and consent to the appointment of William Scanlan as Pilot Commissioner at Brazos Santiago, in place of William Keely, heretofore appointed, who declines to serve.

Respectfully,

L. S. Ross,
Governor.

THE PRESIDENT

Signed the following bill:

Senate Bill No. 232,

"An act to amend Article 358, of chapter 3, title 11, of the Penal Code of the State of Texas."

And,

Senate bill No. 149.

"An act to diminish the civil and criminal jurisdiction of the counties of Orange, Cochise, Tyler, Greer and Mason, and to conform the jurisdiction of the district courts of such counties to such changes."

On motion of Senator Douglass, of Jefferson,

Senate bill No. 272.

"An act to regulate the shipment of lumber and other building material by railway companies."

Was taken up and read second time.

SENATOR DOUGLASS, OF JEFFERSON,

Moved to amend by striking out "to a" in line 3, of printed bill, and adding after the word application the following words: "In writing to the Superintendent or other officer in charge of the transportation department of any."

Adopted.

SENATOR GREGG

Moved to amend the bill by adding thereto "section 7," as follows:

"Section 7. The near approach of the close of the present session of the Legislature creates an imperative public necessity that the constitutional rule requiring bills to be read on three

several days be suspended, and it is so suspended."

Adopted.

SENATOR BURNEY

Moved to amend after word "and" word "shipment" in line 4, section 6, by inserting the following "nor a sufficient amount of lumber to load the cars applied for."

Adopted.

SENATOR HARRISON

Moved to amend section 2, by adding "Provided that the place designated shall be at some station or switch on the railroad."

SENATOR DOUGLASS OF JEFFERSON,

Opposed,
And

SENATOR HARRISON

Favored the amendment.
Adopted.

SENATOR ALLEN

Offered the following amendment.

"Wherever dollars occur in the bill write cents."

SENATOR DOUGLASS OF JEFFERSON

Moved to lay the amendment on the table.

The motion to table was adopted by the following vote:

YEAS—26.

Abercombie,	Harrison,
Armistead	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Camp,	McDonald,
Davis,	MacManus,
Douglass, of J,	Pope,
Douglass, of G,	Simkins,
Field,	Stinson,
Frank,	Upshaw,
Garrison,	Woods,
Gregg,	Woodward.

NAYS.—4.

Allen,	Claiborne,
Calhoun,	Terrell.

ABSENT.—1.

Glasscock.

SENATOR LANE

Moved to

Amend section 1, by substituting therefor, the following:

"Be it enacted, by the Legislature of the State of Texas, That when the owner, owners or managers of any freight of any kind shall make application in writing to the superintendent or person in charge of transportation to any railway company operating a line at the point the cars are desired, upon which to ship any freight, it shall be the duty of said railway company to supply the number of cars required at the point indicated in the application, within five days from the receipt thereof."

SENATORS DOUGLASS OF JEFFERSON,

GREGG AND POPE

Opposed
And

SENATORS LANE, HOUSTON AND TERRELL

Favored the amendment.

SENATOR CLAIBORNE

Offered the following substitute for the amendment.

After the word "material" in line 4, section 1, add "cotton, wool, hides, stock or other merchandise," add to line 5, section 1, after the word "material," "or other merchandise."

SENATORS ARMISTEAD, DOUGLASS OF JEFFERSON, GREGG, LANE, POPE AND TERRELL

Opposed,
And

SENATORS ALLEN AND CLAIBORNE

Favored the substitute.

SENATOR BURNEY

Moved the previous question on the bill and amendments.

Seconded.

The Senate refused to order the main question.

The substitute was lost by the following vote:

YEAS—12.

Allen,	Frank,
Bell,	Garrison,
Calhoun,	Glasscock,
Claiborne,	Harrison,
Douglass of G,	Knittle,
Field,	McDonald.

NAYS—16.

Abercrombie,	Jarvis,
Armistead,	Lane,
Burney,	MacManus.
Camp,	Pope,
Davis,	Simkins,
Douglass of J,	Terrell,
Gregg,	Woods.
Houston,	Woodward.

ABSENT—3.

Burges,	Upshaw.
Stinson,	

The amendment was adopted by the following vote:

YEAS—15.

Allen,	Glasscock,
Bell,	Harrison,
Calhoun,	Houston,
Claiborne,	Jarvis,
Douglass of G.	Lane,
Field,	McDonald,

Frank,	Stinson.
Garrison,	

NAYS—13.

Abercrombie,	MacManus,
Armistead,	Pope.
Burney,	Simkins,
Camp,	Upshaw.
Davis,	Woods,
Douglass of J,	Woodward.
Gregg,	

ABSENT—2.

Burges,	Knittle.
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Senator Terrell announced a pair with Senator Burges. The former would have voted yea the latter nay.

SENATOR STINSON

Offered the following substitute for section 6:

"It it shall be necessary for the party or parties bringing suit against any railroad company under the provisions of this act, to show by evidence that he or they had on hand at the time any demand for cars was made the amount of lumber necessary to load the cars so ordered."

SENATOR CLAIBORNE

Moved to add after the word "lumber" in amendment, "cotton, wool, hides and other freight."

Accepted, and the amendment was adopted by the following vote:

YEAS—20.

Allen,	Gregg,
Bell,	Harrison,
Burney,	Houston,
Calhoun,	Jarvis,
Claiborne,	Knittle,
Douglass of G.	Lane,
Field,	McDonald,
Frank,	MacManus,
Garrison.	Stinson.
Glasscock,	Woodward.

NAYS—9.

Abercrombie,	Pope,
Armistead,	Simkins.
Camp,	Upshaw.
Davis,	Woods,
Douglass of J,	

ABSENT—1.

Burges.

Senator Terrell was paired with Senator Burges. The former would have voted yea, the latter nay.

SENATOR HARRISON

Offered the following substitute for caption:

"An act to regulate the shipment of freights and to require railway companies to furnish sufficient cars to transport same, and to provide penalties for failures so to do."

Adopted.

SENATOR CALHOUN

Moved to amend section 1, by striking out "five days" and insert in lieu thereof "ten days."

SENATOR CALHOUN

Spoke in favor of the amendmet.

SENATOR FIELD

Opposed and

SENATOR HARRISON

Favored the amendment.

The amendment was adopted by the following vote:

YEAS—18.

Allen,	Davis,
Bell,	Douglass, of J
Burges,	Douglass, of G
Burney,	Frank,
Calhoun,	Garrison,

Jarvis,
Knittle,
MacManus,
Pope,

Stinson,
Terrell,
Woods
Woodward.

NAYS—12.

Abercrombie,
Armistead,
Camp,
Claiborne,
Field,
Gregg,

Harrison,
Houston,
Lane
McDonald,
Simkins,
Upshaw.

ABSENT—1.

Glasscock.

SENATOR POPE

Moved to adjourned till 3 o'clock p. m.
Lost by the following vote:

YEAS—14.

Burges.
Burney,
Calhoun,
Davis,
Garrison,
Glasscock,
Houston,

Jarvis,
Lane,
Pope,
Stinson,
Terrell,
Woods,
Woodward.

NAYS—16.

Abercrombie,
Allen,
Armistead,
Bell,
Camp,
Claiborne,
Douglass of J.
Douglass of G.

Field,
Frank,
Gregg,
Harrison,
Knittle,
McDonald,
Simkins,
Upshaw.

ABSENT—1.

McManus.

SENATOR CALHOUN

Moved to amend section 6, by adding thereto the following as a defense against said suit:

"The railroad compan may show that it was prevented by accident or calamity from furnishing said cars, or that said railroad company had not the cars, or was unable to furnish them."

Lost by the following vote:

YEAS—8.

Allen,
Calhoun,
Claiborne,
Davis,

Douglass of G,
Houston,
Lane,
Stinson.

NAYS—22.

Abercrombie,
Armistead,
Bell,
Burges,
Burney,
Camp,
Douglass of J.
Field,
Frank,
Garrison,
Gregg,

Harrison,
Jarvis,
Knittle,
McDonald,
MacManus.
Pope,
Simkins,
Terrell,
Upshaw,
Woods,
Woodward.

ABSENT—1.

Glasscock.

SENATOR DAVIS

Moved to add to section 6:

"Provided that the provisions of this law shall not apply in cases of ~~strikes~~ or other public calamity."

Adopted by the following vote:

YEAS—17.

Allen,
Armistead,
Burges,
Calhoun,
Davis,
Douglass of G,
Garrison,
Houston,
Jarvis,

Knittle,
Lane.
MacManus,
Pope,
Stinson.
Terrell,
Upshaw,
Woodward.

NAYS—13.

Abercrombie,
Bell,
Burney,
Camp,
Claiborne,
Douglass of J.
Field,

Frank,
Gregg,
Harrison,
McDonald,
Simkins,
Woods.

ABSENT—1.

Glasscock.

SENATOR HARRISON

Moved to amend by adding to section 1 "or sooner if practicable."

SENATOR ARMISTEAD

Moved the previous question.

Seconded and main question ordered.

The amendment was adopted by the following vote:

YEAS—27.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,

Burney,
Calhoun,
Camp,
Claiborne,
Davis,

Douglass of G, Field, Frank, Garrison, Gregg, Harrison, Houston, Knittle, Lane.	McDonald, MacManus, Sinkins, Stinson, Terrell, Upshaw, Woods, Woodward.
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NAYS—3.

Douglass of J, Jarvis,	Pope.
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ABSENT—1.

Glasscock.

The bill was ordered engrossed by the following vote:

YEAS—20.

Abercrombie, Armistead, Burgess, Burney, Camp, Davis, Field, Frank, Garrison,	Gregg, Harrison, Lane, McDonald, MacManus, Sinkins, Terrell, Upshaw.
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NAYS—13.

Allen, Bell, Calhoun, Claiborne, Douglass of J, Douglass of G, Houston,	Jarvis, Knittle, Pope, Stinson, Woods, Woodward.
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ABSENT—1.

Glasscock.

[SENATOR ARMISTEAD

Moved to reconsider the vote just taken and moved to lay that motion on the table

The motion to lay on the table was lost by the following vote:

YEAS—12.

Abercrombie, Armistead, Bell, Camp, Douglass of J, Field,	Jarvis, McDonald, MacManus, Sinkins, Terrell, Woodward.
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NAYS—13.

Allen, Calhoun, Davis,	Frank, Garrison, Gregg,
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Harrison, Houston, Knittle, Lane,	Pope, Stinson, Woods.
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ABSENT—6.

Burgess, Burney, Claiborne,	Douglass of G, Glasscock, Upshaw.
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On motion of

SENATOR BURNEY.

The Senate adjourned till 3:00 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Leutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

SENATOR BURNEY

Called up his resolution amending rule 4 of the Senate rules.

SENATOR HOUSTON

Moved to refer the resolution to the committee on rules.

Adopted.

SENATOR ARMISTEAD

By leave, sent up the following special committee report:

COMMITTEE ROOM, }
AUSTIN, March 24, 1887. }

To the Hon. T. B. Wheeler, President of the Senate and Hon. Geo. O. Pendleton, Speaker of the House of Representatives:

Sirs—Your committee of free conference, to whom was referred the difference between the two houses on

Senate bill No. 281,

The same being entitled:

"An act to create a commission of arbitration and award, and define the powers and duties thereof, and to make an appropriation to pay the salaries of the judges thereof," respectfully report that we have carefully considered the same and have agreed that section 1 of said act be amended so as to read in accordance with the amendment hereto attached and herewith submitted, and we recommend that

both houses concur in said amendment and that the Senate concur in the House amendment from which arose the differences which have been referred to us for adjustment.

All of which is respectfully submitted.

ARMISTEAD,
BELL,
HARRISON,
Senate Committee.
GROCE,
FULLER,
TRUIT.

House Committee.

Amendment substituted with report of free conference committee on Senate bill No. 281.

"Section 1. Be it enacted by the Legislature of the State of Texas: That a commission of arbitration and award be, and the same is hereby created, to be styled the "Commission of Appeals of the State of Texas." Said commission shall be composed of three persons, who shall possess the same qualifications and receive the same salaries as judges of the supreme court, who shall be appointed by the Governor with the advice and consent of the Senate, if in session, and who shall hold their offices for two years, except as herein otherwise provided. The first appointments made under this act shall be made on the first Monday of September, A. D. 1887, or as soon thereafter as practicable, and the persons so appointed shall hold their offices until the first Monday in February, A. D. 1889, and thereafter appointments under this act shall be made biennially. In case of a vacancy on said commission by the death or resignation of any member thereof during the vacation of the Legislature, it shall be the duty of the Governor to fill the same by appointment, and the person so appointed shall continue in office until the next regular session of the Legislature after the appointment.

The report and the amendment were adopted.

Senate substitute for House bill No. 385, (the tax bill), was laid before the Senate as unfinished business.

SENATOR DOUGLASS OF JEFFERSON

Moved the previous question on the passage of the bill

Seconded

SENATOR CALHOUN

Moved a call of the Senate.

Call sustained.

Roll called.

The Senate was found full and the call was suspended.

The main question was ordered.

The bill was passed by the following vote:

YEAS—21.

Armistead,	Houston
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Davis,	Pope,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woodward.
Glasscock,	

NAYS—10.

Abercrombie,	Gregg,
Allen,	Harrison,
Claiborne,	Simkins,
Douglass of J,	Stinson,
Douglass of G,	Woods.

Senate substitute for House bill 150, was laid before the Senate as unfinished business.

On motion of Senator Pope,

It was agreed to consider the bill section by section.

SENATOR STINSON

Moved to postpone the bill and have it printed.

Lost.

SENATOR POPE

Offered the following amendment:}]

Amend so as to fix the annual occupation tax on all other cotton seed oil mills at twenty-five dollars.

SENATOR CALHOUN

Opposed the amendment.

SENATOR STINSON

Opposed the amendment.

SENATOR POPE

Favored the amendment.

The amendment was adopted.

SENATOR STINSON:]

Moved to reconsider the vote by which the amendment was adopted.

Withdrawn.

SENATOR CALHOUN

Moved to strike out all about the taxing of cotton seed oil mills.

SENATOR GLASSCOCK

Offered the following amendment.

Amend by fixing the tax on cotton seed oil mills at one dollar per thousand and on the capital invested.

SENATOR GLASSCOCK

Favored his amendment.

SENATOR SIMKINS

Moved to amend the amendment by striking out \$1 and insert \$1.50.
Accepted.

SENATOR SIMKINS

Favored the amendment.

It was lost.

The amendment offered by Senator Calhoun was adopted.

SENATOR GREGG

Moved to strike out section 3.

SENATOR POPE

Moved to amend by striking out the occupation tax on wholesale and retail dealers in deadly weapons.

SENATOR POPE

Spoke in favor of his amendment.

SENATOR WOODS

Opposed the amendment.

The amendment of Senator Pope was lost by the following vote.

YEAS—14.

Armistead.	Houston,
Bell,	Knittle,
Burges,	Lane,
Camp,	Pope,
Douglass of J.,	Simkins,
Douglass of G.,	Stinson,
Harrison,	Woodward.

NAYS—17.

Abercrombie,	Field,
Allen,	Frank,
Burney,	Garrison,
Calhoun,	Glasscock,
Claiborne,	Gregg,
Davis,	Jarvis,

McDonald,
MacManus.
Terrell,

Upshaw,
Woods.

SENATOR FIELD

Opposed the amendment of Senator Gregg, and

SENATOR STINSON

Favored it.

SENATOR LANE

Favored the amendment.

SENATOR CALHOUN

Favored the amendment.
The amendment was adopted

SENATOR STINSON

Moved to

"Strike out section 6."

SENATORS STINSON AND ALLEN

Favored, and

SENATOR HARRISON

Opposed the amendment.

The amendment was lost by the following vote:

YEAS—8.

Allen.	Jarvis,
Burges,	MacManus.
Douglass of G,	Stinson.
Gregg,	Upshaw.

NAYS—23.

Abercrombie,	Glasscock,
Armistead,	Harrison,
Bell,	Houston,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of J	Terrell,
Field,	Woods.
Frank,	Woodward.

SENATOR HARRISON

Moved to reconsider the vote by which the amendment of Senator Calhoun was adopted.

SENATOR STINSON.

Moved to lay the motion on the table
Adopted by the following vote:

YEAS—17.

Bell,	Knittle,
Burges,	Lane,
Burney,	MacManus,
Calhoun,	Pope,
Davis,	Simkins,
Douglass of G,	Terrell,
Gregg,	Upshaw,
Houston,	Woodward.
Jarvis,	

NAYS—13.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Harrison,
Camp,	McDonald,
Claiborne,	Stinson,
Field,	Woods.
Frank,	

ABSENT—1.

Douglass of J.

SENATOR LANE

Moved to add to section 7, as follows:
Amend by taxing every druggist who sells intoxicating liquors in any county, city, town, village or justice's precinct where local option prevails, the sum of \$200 per annum.

SENATOR POPE

Moved to amend by adding on every newspaper reporter who abuses Legislatures in the columns of his paper an annual tax of \$1.

SENATOR TERRELL

Moved to add from every book agent \$50; if said book agent is a woman \$1,100.

On motion of Senator Woods the amendments were laid on the table by the following vote:

YEAS—22

Allen,	Garrison,
Armistead,	Glasscock,
Bell,	Gregg,
Burney,	Harrison,
Calhoun,	Jarvis,
Camp,	Knittle,
Claiborne,	McDonald,
Davis,	MacManus,
Douglass of G,	Terrell,
Field,	Upshaw,
Frank,	Woods.

NAYS—8.

Abercrombie,	Lane,
Burges,	Pope,
Douglass of J,	Simkins,
Houston,	Woodward.

ABSENT—1.

Stinson.

SENATOR POPE

Moved to amend section 9, by striking out "tax on physicians."

SENATORS FRANK AND WOODS

Opposed the amendment
And

SENATOR POPE

Favored it.

The amendment was adopted by the followig vote:

YEAS—23.

Abercrombie,	Gregg,
Allen,	Houston,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	MacManus,
Calhoun,	Pope,
Camp,	Simkins,
Douglass of J,	Stinson,
Douglass of G,	Terrell,
Field,	Woodward.
Garrison,	

NAYS—7.

Claiborne,	Harrison,
Davis,	McDonald,
Frank,	Woods.
Glasscock,	

ABSENT—1.

Upshaw,

SENATOR BURNEY

Moved to strike out section No. 10.
Adopted.

SENATOR POPE

Moved to strike out the tax on occu-
lists.

The amendment was lost by the fol-
lowing vote:

YEAS—14.

Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Pope,
Douglass of G,	Simkins,
Field,	Stinson,
Knittle,	Woodward.

NAYS—16.

Abercrombie,	Bell,
Allen,	Claiborne,
Armistead,	Davis,

Douglass of J, Harrison,
Frank, Houston,
Garrison, Jarvis
Glasscock, Terrell,
Gregg, Woods.

ABSENT—1.

Upshaw.

SENATOR SIMKINS

Moved the Senate stand adjourned
till to-morrow morning at 10 o'clock.
Lost by the following vote:

YEAS—12.

Abercrombie, Houston,
Bell, Knittle,
Burgess, Lane,
Calhoun, Pope,
Camp, Simkins,
Davis, Woods.

NAYS—18.

Allen, Glascock,
Armistead, Gregg,
Burney, Harrison,
Claiborne, Jarvis,
Douglass of J, McDonald,
Douglass of G, MacManus,
Field, Stinson,
Frank, Terrell,
Garrison, Woodward.

ABSENT—1.

Upshaw.
By leave,

SENATOR POPE

Sent up the following committee report:

COMMITTEE ROOM, }
AUSTIN, March 25, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Public
Lands, to whom was referred House
bill No. 602, entitled:

"An act to create the Martin, Scurry,
Crosby and Knox land districts," have
had the same under considera-
tion, and instruct me to report it back
to the Senate with the recommendation
that it do pass.

All of which is respectfully submit-
ted.

POPE, chairman.

Bill read first time.

SENATOR GREGG

Moved to amend by reducing the tax
on electric light companies to \$25.
Adopted.

THE PRESIDENT

Referred House bill No. 529.

To Judiciary Committee No. 1.

The following message was received
from the Governor:

EXECUTIVE OFFICE, }
AUSTIN, March 25, 1887. }

To the Senate of Texas:

I ask your advice and consent to the
appointment of the following named
gentlemen as notaries public in the
various counties, as follows:

Anderson.

G B Willingham.

Bell.

J F Fuller.

Bexar.

C P Matlock.

Bowie.

S J Henry, Texarkana.

Brazoria.

Hal W Chinn, Brazoria

Cook.

H K Jones.

J T McRea.

Dallas.

W S Wheatley.

C W Hartup.

Henry Lathrop.

Paul Furst.

Geo J Dexter.

T E Littlefield.

W A Orr.

W L Hall.

J E Wolf.

C F Bolanz.

J F Downs.

R A Roberts.

James B Simpson.

W M Joanson.

Denton.

John W Berry.

Dimmitt.

M L Moody, Carizs Springs.

El Paso.

G F Neill.

Fannin.
 Jas. Gooch.
 Fayette.
 W J Hildebrandt,
 A F Kaufman.
 Galveston.
 Chas A Schroeder, Galveston.
 Grimes.
 J A Skelton.
 Gaudalupe.
 Gustav Conrad.
 Hardeman.
 S P Britt.
 Harris.
 J P Compton.
 E C Marston.
 Howard.
 Oscar Martin.
 Hunt.
 W R Lane, Jardin.
 C L Elder, Greenville.
 D W Yeager, Kingston.
 W C Vanlandingham, Donelton.
 Z E Gandy, Lone Oak.
 A H Hefner, Greenville.
 A D Jackson, Wolfe City.
 J H Patterson, Campbell.
 J M McCamant, Campbell.
 S R Etter, Greenville.
 E J Mock, Alliance.
 W H Key, Roberts.
 J H Jackson, Commerce.
 M T Mitchell, Oliveria.
 W P McBride, Roberts.
 R L Porter, Greenville.
 A Cameron, Greenville.
 H H Wood, South Sulphur.
 J D Martin, Greenville.
 Jno O Wilkinson, Greenville.
 J R Methvin, Lane.
 J L Hurst, Hunt.
 C C Johnson, Greenville.
 A D Parker, Vausickle.
 V W Grubbs, Greenville.
 S B Dinwiddie, C C Perrin, Celeste.
 T J Tison, Alliance.
 B W Moore, South Sulphur.
 W N Harrison, R D Thompson, W
 Collins, J E Gilberts, Alexander
 Mason, T R Austin, C J Steger, Green-
 ville.
 Jasper.
 Lipscomb Norvell.
 Jefferson.
 A B Weaver.
 Kaufman.
 J B Daniel.
 G A Buchanan.
 G E Chilcoat.

R A Hindman.
 M L Gossett.
 Temple C Byrn.
 J S Grinnan.
 W H Barnes.
 John Ve-ey.
 Temple C Burn.
 J S Grinnan.
 Lee.
 A Raube.
 Limestone.
 W E Doyle.
 Live Oak.
 T H O'Callaghan, Oakville.
 Marion.
 D B Hale, Lasater
 McLennan.
 J E Boynton.
 Montague.
 J R Frost.
 Montgomery.
 G W McCurdy.
 Navarro.
 J B O'Bryan, Pinsley.
 Parker.
 J K P Shirley.
 Tarrant.
 John E Arnold.
 T J Howell.
 Taylor.
 D B Corley.
 Travis.
 D J Wooten, Austin.
 R E Turner.
 Trinity.
 J F Richburg, Pennington.
 Tyler.
 R R Smith.
 Van Zandt.
 G R Goddard, Palace.
 W A Coney, Ben Wheeler.
 Wichita.
 S Armstrong.
 Wood.
 C C Higginbottom.
 Young.
 E S Graham.
 Respectfully,
 L. S. Ross,
 Governor.

On motion of Senator Douglass of Grayson,

The Senate adjourned till to-morrow morning at 10 o'clock, by the following vote:

YEAS—20.

Abercrombie,	Houston,
Allen,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Davis,	Pope,
Douglass of J,	Stinson,
Douglass of G,	Woods,
Garrison,	Woodward.

NAYS—9.

Armistead,	Glasscock,
Burney,	Gregg,
Claiborne,	Harrison.
Field,	Simkins.
Frank,	

ABSENT—2.

Terrell,	Upshaw.
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SIXTY-FIFTH DAY.

SENATE CHAMBER, }
AUSTIN, March 26, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Armistead,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Douglass of Grayson,

Senator Douglass, of Jefferson, was excused until Tuesday on account of important business.

On motion of Senator Bell,

Senator Harrison was excused for the day on account of important business.

On motion of Senator Woods,

Senator Glasscock was excused for to-day on account of important business.

SENATOR GLASSCOCK

Moved to have the Journal corrected to show that he "made a motion to take up Senate bill No. 145, and said motion was lost."

(Journal corrected.)

PETITIONS AND MEMORIALS.

BY SENATOR HOUSTON:

"Petition of Messrs. Formwalt, Baylor and Odom."

Referred to Committee on Finance.

BILLS AND RESOLUTIONS.

BY SENATOR WOODWARD:

"Resolved, That two thousand extra copies of the journal, containing memorial services, printed as a supplement to the regular Senate journal, be printed for the use of the Twentieth Legislature."

Adopted.

REPORTS OF STANDING COMMITTEES.

BY SENATOR TERRELL:

COMMITTEE ROOM, }
AUSTIN, March 24, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 56, entitled:

A bill to be entitled:

"An act to provide for the record of executions under which land is sold, and to provide for the introduction of copies of such record as evidence in the event of the loss or destruction of the original," have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass with the accompanying amendments.

TERRELL, chairman.

Bill read first time.

Committee amendments to Senate bill No. 56:

1. After word "executions," in caption, add the words "orders of sale and writs of venditioni exponas."

2. Strike out all after word "that" in line 11, down to and including the word "original," in line 15, and insert in lieu thereof the word "any."

3. After word "execution," in line 15, add the words "order of sale or writ of venditioni exponas, under which land has been or may hereafter be sold."

COMMITTEE ROOM, }
AUSTIN, March 23, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 315, entitled:

"An act for the benefit of volunteer fire companies," have had the same under consideration, and instruct me to report it back to the Senate with the accompanying substitute, and to recommend that the substitute do pass.